ASSEMBLY BILL   No. 1369

Introduced by Assembly Member Mountjoy

February 23, 2001

An act to add Sections 48298 and 48343 to the Education Code, relating to pupil attendance.

LEGISLATIVE COUNSEL'S DIGEST

AB 1369, as introduced, Mountjoy.   Pupil attendance.

Existing law requires the attendance of children between the ages of 6 and 18 at school, with specified exceptions. Existing law requires a school district to notify a pupil's parent or guardian upon the pupil's initial classification as a truant, among other things, that the pupil is truant and that the parent or guardian is required to compel the pupil's attendance at school.

This bill would provide that any school district employee who deliberately and knowingly falsifies pupil attendance records, average daily attendance records, or any other school records, or who fails to notify a parent or guardian of a pupil's absence, would be subject to termination by the school district and would be reported to the Commission on Teacher Credentialing, which would be required to make that information part of the employee's permanent record with the commission, if the employee holds a position for which the commission maintains records. This requirement would impose a state-mandated local program by increasing school district responsibilities.

The bill would also require each school district to report every absence of an enrolled pupil to the parent or guardian of the absent pupil, thereby imposing a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed $1,000,000 statewide and other procedures for claims whose statewide costs exceed $1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1   SECTION 1.   Section 48298 is added to the Education Code,
2 to read:
3   48298.   Any school district employee who deliberately and
4 knowingly falsifies pupil attendance records, average daily
5 attendance records, or any other school records or who fails to
6 report any pupil absence, as required by Section 48343, shall be
7 subject to termination by the school district and shall be reported
8 to the Commission on Teacher Credentialing. The Commission on
9 Teacher Credentialing shall make this information part of the
10 employee's permanent record with the commission, if the
11 employee holds a position for which the commission maintains
12 records.
13   SEC. 2.   Section 48343 is added to the Education Code, to
14 read:
15   48343.   Each school district shall report every absence of an
16 enrolled pupil to the parent or guardian of the absent pupil by
17 telephone, first class mail, or other reasonable means.
18   SEC. 3.   Notwithstanding Section 17610 of the Government
19 Code, if the Commission on State Mandates determines that this
20 act contains costs mandated by the state, reimbursement to local
21 agencies and school districts for those costs shall be made pursuant
22 to Part 7 (commencing with Section 17500) of Division 4 of Title
23 2 of the Government Code. If the statewide cost of the claim for
24 reimbursement does not exceed one million dollars ($1,000,000),

1 reimbursement shall be made from the State Mandates Claims
2 Fund.

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